

No. 1:22-CR-00232-JLT

SEALED

FILED

Jun 22, 2023

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT

Eastern District of California

Criminal Division

THE UNITED STATES OF AMERICA

vs.

1:22-cr-00232-JLT-SKO

MARTIN ALFREDO LEIVA-LEIVA, aka "Dark," aka "Dar," JOSE RENE BARRERA-MARTINEZ, aka "Fugitivo," ANGEL ANTONIO DIAZ-MORALES, aka, "Pecador," LUIS FAUSINO DIAZ-PINEDA, aka "Furioso," aka, "Minero," JUAN CARLOS URIAS-TORRES, aka "Grande," aka, "Master," ANGEL ANTONIO CASTRO-ALFARO, aka "Tony Weed," aka, "Discipulo," JOSE JOAQUIN ORELLANA, aka "Soberbio," JULIO CESAR RECINOS-SORTO, JOSE ARMANDO TORRES-GARCIA, aka "Driver," and JOSE SANTOS HERNANDEZ-OTERO, aka "Doble"

SUPERSEDING INDICTMENT

VIOLATION(S): 18 U.S.C. § 1962(d) – Conspiracy to Participate in a Racketeering Enterprise; 18 U.S.C. § 1959(a)(1) – Murder in Aid of Racketeering (6 Counts)

A true bill,

/ s /
Foreman.

Filed in open court this _____ *day*

of _____ *, A.D. 20* _____

Clerk.

Bail, \$ _____ *AS PREVIOUSLY SET FOR: LEIVA-LEIVA, URIAS-TORRES, DIAZ-MORALES, DIAZ-PINEDA, CASTRO-ALFARO, ORELLANA AND RECINOS-SORTO; PLEASE ISSUE NO-BAIL WARRANTS FOR ALL REMAINING DEFENDANTS* _____

B. McQuiffie

6/22/23

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION -- IN U.S. DISTRICT COURT

BY ☐ COMPLAINT ☐ INFORMATION ☐ INDICTMENT
☒ SUPERSEDING: Case No. 1:22-CR-00232-JLT

OFFENSE CHARGED

See Indictment

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

Place of offense
 FRESNO COUNTY

U.S.C. Citation
 See Indictment

Name of District Court, and/or Judge/Magistrate Judge Location (City)
 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

DEFENDANT -- U.S. vs.
MARTIN ALFREDO LEIVA-LEIVA

Address

Birth
 Date

☒ Male ☐ Alien
☐ Female (if applicable)

(Optional unless a juvenile)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

RYAN DEMMON - FBI

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per FRCrP ☐ 20 ☐ 21 ☐ 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☒ this prosecution relates to a pending case involving this same defendant

SHOW
 DOCKET NO.

1:22-CR-00232

☐ prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were recorded under

MAGISTRATE
 JUDGE CASE NO.

Name and Office of Person
 Furnishing Information on

THIS FORM

STACEY MEDINA

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S.
 Att'y (if assigned)

JUSTIN GILIO

☐ This report amends AO 257 previously submitted

DEFENDANT**IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome of this proceeding
 If not detained, give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State
 If answer to (6) is "Yes," show name of institution

Has detainer
 been filed?

☐ Yes
☐ No

If "Yes,"
 give date
 filed

Mo. Day Year

DATE OF
 ARREST

Or ... if Arresting Agency & Warrant were not Federal

Mo. Day Year

DATE TRANSFERRED
 TO U.S. CUSTODY

ADDITIONAL INFORMATION OR COMMENTS

☒ ADD FORFEITURE UNIT (Check if Forfeiture Allegation)

DEFENDANT IN CUSTODY; NEXT COURT DATE IS 6/23/2023

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION -- IN U.S. DISTRICT COURTBY ☐ COMPLAINT ☐ INFORMATION ☐ INDICTMENT
☒ SUPERSEDING: Case No. 1:22-CR-00232-JLT**OFFENSE CHARGED**

See Indictment

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

Place of offense
FRESNO COUNTYU.S.C. Citation
See IndictmentName of District Court, and/or Judge/Magistrate Judge Location (City)
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**DEFENDANT -- U.S. vs.**
JOSE RENE BARRERA-MARTINEZ

Address {

Birth
Date☒ Male ☐ Alien
☐ Female (if applicable)

(Optional unless a juvenile)

PROCEEDING

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JUSTIN GILIO

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- 1)
- ☒
- Has not been arrested, pending outcome of this proceeding
-
- If not detained, give date any prior summons was served on above charges
-
- 2)
- ☐
- Is a Fugitive
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IS IN CUSTODY

- 4)
- ☐
- On this charge
-
- 5)
- ☐
- On another conviction
-
- 6)
- ☐
- Awaiting trial on other charges }
- ☐
- Fed'l
- ☐
- State
-
- If answer to (6) is "Yes," show name of institution

Has detainer been filed? ☐ Yes ☐ No
If "Yes," give date filed
Mo. Day Year**DATE OF
ARREST**

Or ... if Arresting Agency & Warrant were not Federal

**DATE TRANSFERRED
TO U.S. CUSTODY**

Mo. Day Year

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION -- IN U.S. DISTRICT COURT

BY ☐ COMPLAINT ☐ INFORMATION ☐ INDICTMENT
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OFFENSE CHARGED

See Indictment

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☐ Misdemeanor
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Place of offense
 FRESNO COUNTY

U.S.C. Citation
 See Indictment

Name of District Court, and/or Judge/Magistrate Judge Location (City)
 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

DEFENDANT -- U.S. vs.
ANGEL ANTONIO DIAZ-MORALES

Address

Birth
 Date

☒ Male ☐ Alien
☐ Female (if applicable)

(Optional unless a juvenile)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

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ADDITIONAL INFORMATION OR COMMENTS

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Place of offense
 FRESNO COUNTY

U.S.C. Citation
 See Indictment

Name of District Court, and/or Judge/Magistrate Judge Location (City)
 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

DEFENDANT -- U.S. vs.
LUIS FAUSINO DIAZ-PINEDA

Address {

Birth
 Date

☒ Male☐ Alien☐ Female

(if applicable)

(Optional unless a juvenile)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

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☐ Minor
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Place of offense
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U.S.C. Citation
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Name of District Court, and/or Judge/Magistrate Judge Location (City)
 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

DEFENDANT -- U.S. vs.
JUAN CARLOS URIAS-TORRES,

Address

Birth
 Date

☒ Male☐ Alien☐ Female

(if applicable)

(Optional unless a juvenile)

PROCEEDING

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Name of District Court, and/or Judge/Magistrate Judge Location (City)
 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

DEFENDANT -- U.S. vs.
ANGEL ANTONIO CASTRO-ALFARO

Address

Birth
 Date

- ☒ Male ☐ Alien
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(Optional unless a juvenile)

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Place of offense
 FRESNO COUNTY

U.S.C. Citation
 See Indictment

Name of District Court, and/or Judge/Magistrate Judge Location (City)
 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

DEFENDANT -- U.S. vs.
JOSE JOAQUIN ORELLANA

Address

Birth
 Date

- ☒ Male ☐ Alien
☐ Female (if applicable)

(Optional unless a juvenile)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

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ADDITIONAL INFORMATION OR COMMENTS

☒ **ADD FORFEITURE UNIT (Check if Forfeiture Allegation)**

DEFENDANT IN CUSTODY; NEXT COURT DATE IS 9/6/2023

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION -- IN U.S. DISTRICT COURT

BY ☐ COMPLAINT ☐ INFORMATION ☐ INDICTMENT
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OFFENSE CHARGED

See Indictment

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☐ Minor
☐ Misdemeanor
☒ Felony

Place of offense
 FRESNO COUNTY

U.S.C. Citation
 See Indictment

Name of District Court, and/or Judge/Magistrate Judge Location (City)
 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

DEFENDANT -- U.S. vs.
JULIO CESAR RECINOS-SORTO,

Address {

Birth
 Date

☒ Male☐ Alien☐ Female

(if applicable)

(Optional unless a juvenile)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

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Mo.

Day

Year

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Mo.

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Year

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DEFENDANT IN CUSTODY; NEXT COURT DATE IS 9/6/2023

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION -- IN U.S. DISTRICT COURTBY ☐ COMPLAINT ☐ INFORMATION ☐ INDICTMENT
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See Indictment

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- Felony

Place of offense
FRESNO COUNTYU.S.C. Citation
See IndictmentName of District Court, and/or Judge/Magistrate Judge Location (City)
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**DEFENDANT -- U.S. vs.**
JOSE ARMANDO TORRES-GARCIA

Address {

Birth
Date

- ☒
- Male
- ☐
- Alien
-
- ☐
- Female (if applicable)

(Optional unless a juvenile)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

RYAN DEMMON - FBI

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- ☐
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- ☐
- 20
- ☐
- 21
- ☐
40. Show District

- ☐
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MAGISTRATE
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Furnishing Information on

THIS FORM

STACEY MEDINA

- ☒
- U.S. Att'y
- ☐
- Other U.S. Agency

Name of Asst. U.S.
Att'y (if assigned)

JUSTIN GILIO

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ADDITIONAL INFORMATION OR COMMENTS☒ **ADD FORFEITURE UNIT (Check if Forfeiture Allegation)****PLEASE ISSUE NO-BAIL WARRANT****DEFENDANT****IS NOT IN CUSTODY**

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- Is a Fugitive
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- 3)
- ☐
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IS IN CUSTODY

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- On this charge
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- Fed'l
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- State
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Has detainer been filed? ☐ Yes ☐ No
If "Yes," give date filed
Mo. Day Year**DATE OF
ARREST**

Or ... if Arresting Agency & Warrant were not Federal

Mo. Day Year

**DATE TRANSFERRED
TO U.S. CUSTODY**

(Rev. 9/92)

YES: SAB conflict in USAO (Before 01/01/13) Yes: SKO conflict in USAO (Before 4/12/10)

PER 18 U.S.C. 3170

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION -- IN U.S. DISTRICT COURTBY ☐ COMPLAINT ☐ INFORMATION ☐ INDICTMENT
☒ SUPERSEDING: Case No. 1:22-CR-00232-JLT**OFFENSE CHARGED**

See Indictment

- ☐
- Petty
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- ☐
- Minor
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- ☐
- Misdemeanor
-
- ☒
- Felony

Place of offense
FRESNO COUNTYU.S.C. Citation
See IndictmentName of District Court, and/or Judge/Magistrate Judge Location (City)
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**DEFENDANT -- U.S. vs.**
JOSE SANTOS HERNANDEZ-OTERO

Address {

Birth
Date☒ Male☐ Alien☐ Female

(if applicable)

(Optional unless a juvenile)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

RYAN DEMMON - FBI

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per FRCrP ☐ 20 ☐ 21 ☐ 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☒ this prosecution relates to a pending case involving this same defendantSHOW
DOCKET NO.

1:22-CR-00232

☐ prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were recorded underMAGISTRATE
JUDGE CASE NO.**DEFENDANT****IS NOT IN CUSTODY**

- 1)
- ☒
- Has not been arrested, pending outcome of this proceeding
-
- If not detained, give date any prior summons was served on above charges
-
- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge
-
- 5)
- ☐
- On another conviction
-
- 6)
- ☐
- Awaiting trial on other charges }
- ☐
- Fed'l
- ☐
- State
-
- If answer to (6) is "Yes," show name of institution

Has detainer
been filed? ☐ Yes ☐ NoIf "Yes,"
give date
filed

Mo.

Day

Year

**DATE OF
ARREST**

Or ... if Arresting Agency & Warrant were not Federal

Mo.

Day

Year

**DATE TRANSFERRED
TO U.S. CUSTODY**Name and Office of Person
Furnishing Information on

THIS FORM

STACEY MEDINA

☒ U.S. Att'y☐ Other U.S. AgencyName of Asst. U.S.
Att'y (if assigned)

JUSTIN GILIO

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS**☒ **ADD FORFEITURE UNIT (Check if Forfeiture Allegation)****PLEASE ISSUE NO-BAIL WARRANT**

United States v. Martin Leiva et al.

Penalties for Indictment

Defendants

MARTIN ALFREDO LEIVA-LEIVA, aka "Dark," aka "Dar"
JOSE RENE BARRERA-MARTINEZ, aka "Fugitivo"
ANGEL ANTONIO DIAZ-MORALES, aka "Pecador"
LUIS FAUSINO DIAZ-PINEDA, aka "Furioso," aka "Minero"
JUAN CARLOS URIAS-TORRES, aka "Grande," aka "Master"
ANGEL ANTONIO CASTRO-ALFARO, aka "Tony Weed," aka "Discipulo"
JOSE JOAQUIN ORELLANA, aka "Soberbio"
JULIO CESAR RECINOS-SORTO
JOSE ARMANDO TORRES-GARCIA, aka "Driver"
JOSE SANTOS HERNANDEZ-OTERO, aka "Doble"

COUNT 1:

**MARTIN ALFREDO LEIVA-LEIVA,
aka "Dark," aka "Dar,"
JOSE RENE BARRERA-MARTINEZ,
aka "Fugitivo,"
ANGEL ANTONIO DIAZ-MORALES,
aka "Pecador,"
LUIS FAUSINO DIAZ-PINEDA,
aka "Furioso," aka "Minero,"
JUAN CARLOS URIAS-TORRES,
aka "Grande," aka "Master,"
ANGEL ANTONIO CASTRO-ALFARO,
aka "Tony Weed," aka "Discipulo,"
JOSE JOAQUIN ORELLANA,
aka "Soberbio,"
JULIO CESAR RECINOS-SORTO;
JOSE ARMANDO TORRES-GARCIA,
aka "Driver," and
JOSE SANTOS HERNANDEZ-OTERO,
aka "Doble"**

VIOLATION: 18 U.S.C. § 1962(d) - Conspiracy to Participate in a Racketeering Enterprise

PENALTIES: A maximum of up to life in prison; or
Fine of up to \$250,000 or twice the gross gain or gross loss resulting from the offense, whichever is the greatest; or both fine and imprisonment;
Supervised release of up to life

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

COUNT 2: **MARTIN ALFREDO LEIVA-LEIVA,**
 aka “Dark,” aka “Dar,” and
 ANGEL ANTONIO DIAZ-MORALES,
 aka “Pecador”

VIOLATION: 18 U.S.C. §§ 1959(a)(1) and 2 – Murder in Aid of Racketeering

PENALTIES: Mandatory minimum of life imprisonment;
 Maximum of death; or
 Fine of up to \$250,000; or both fine and imprisonment
 Supervised release of up to 5 years

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

COUNT 3: **MARTIN ALFREDO LEIVA-LEIVA,**
 aka “Dark,” aka “Dar,” and
 JUAN CARLOS URIAS-TORRES,
 aka “Grande,” aka “Master”

VIOLATION: 18 U.S.C. §§ 1959(a)(1) and 2 – Murder in Aid of Racketeering

PENALTIES: Mandatory minimum of life imprisonment;
 Maximum of death; or
 Fine of up to \$250,000; or both fine and imprisonment
 Supervised release of up to 5 years

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

COUNT 4: **MARTIN ALFREDO LEIVA-LEIVA,**
 aka “Dark,” aka “Dar,”
 JOSE JOAQUIN ORELLANA,
 aka “Soberbio,”
 JULIO CESAR RECINOS-SORTO,
 JOSE ARMANDO TORRES-GARCIA,
 aka “Driver,” and
 JOSE SANTOS HERNANDEZ-OTERO,
 aka “Doble”

VIOLATION: 18 U.S.C. §§ 1959(a)(1) and 2 – Murder in Aid of Racketeering

PENALTIES: Mandatory minimum of life imprisonment;
 Maximum of death; or
 Fine of up to \$250,000; or both fine and imprisonment
 Supervised release of up to 5 years

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

COUNT 5: **MARTIN ALFREDO LEIVA-LEIVA,**
 aka “Dark,” aka “Dar,”
 JOSE JOAQUIN ORELLANA,
 aka “Soberbio,”
 JULIO CESAR RECINOS-SORTO,
 JOSE ARMANDO TORRES-GARCIA,
 aka “Driver,” and
 JOSE SANTOS HERNANDEZ-OTERO,
 aka “Doble”

VIOLATION: 18 U.S.C. §§ 1959(a)(1) and 2 – Murder in Aid of Racketeering

PENALTIES: Mandatory minimum of life imprisonment;
 Maximum of death; or
 Fine of up to \$250,000; or both fine and imprisonment
 Supervised release of up to 5 years

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

COUNT 6: **MARTIN ALFREDO LEIVA-LEIVA,**
 aka “Dark,” aka “Dar,”
 JOSE RENE BARRERA-MARTINEZ,
 aka “Fugitivo,”
 LUIS FAUSINO DIAZ-PINEDA,
 aka “Furioso,” aka “Minero,” and
 ANGEL ANTONIO CASTRO-ALFARO,
 aka “Tony Weed,” aka “Discipulo”

VIOLATION: 18 U.S.C. §§ 1959(a)(1) and 2 – Murder in Aid of Racketeering

PENALTIES: Mandatory minimum of life imprisonment;
 Maximum of death; or
 Fine of up to \$250,000; or both fine and imprisonment
 Supervised release of up to 5 years

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

COUNT 7: **MARTIN ALFREDO LEIVA-LEIVA,**
 aka “Dark,” aka “Dar,” and
 JUAN CARLOS URIAS-TORRES,
 aka “Grande,” aka “Master”

VIOLATION: 18 U.S.C. §§ 1959(a)(1) and 2 – Murder in Aid of Racketeering

PENALTIES: Mandatory minimum of life imprisonment;
 Maximum of death; or
 Fine of up to \$250,000; or both fine and imprisonment
 Supervised release of up to 5 years

SPECIAL ASSESSMENT: \$100 (mandatory on each count)